

EXHIBIT A



David Friedland <dkf@friedlandvining.com>

RE: Deposition Availability

1 message

rweaver@brickellip.com <rweaver@brickellip.com>

Fri, Mar 29, 2024 at 7:40 PM

To: David Friedland <DKF@friedlandvining.com>

Cc: jsobrado <jsobrado@brickellip.com>, Richard Guerra <rguerra@brickellip.com>, Jaime Vining <JRV@friedlandvining.com>

Hi David,

Thanks for your call this morning. Following up to memorialize some of the points we discussed.

Javi/Mine Availability – From May 6th through June 21st, Javier and I will have availability issues for in-person tasks. I will likely be stuck in Tampa because I need to be in our house assisting my wife's grandmother. Post surgery she is unable to walk and unless the status quo improves (an uncertainty) only me and my father-in-law can safely lift her, and he's travelling during this period. As for Javier, his wife's due-date for their second child is around this time.

This doesn't mean we're entirely unavailable. It's possible my wife's grandmother improves significantly over this next month or that I can hire a home aid for a day or two, and it's possible a sleep-deprived Javier can attend to an occasional in-person task. Our firm can also get our partners Rick or Rafa more involved in this case. But, as a courtesy to our limited availability, we would greatly appreciate that we schedule as many live depositions as possible prior to May 5th. I can appear remotely for Zoom depositions, so those are not a problem, it's the live depositions we're requesting be scheduled as much as possible for this period.

Miami Slice Witness Depositions – Alejandro and Manuel are available for deposition during the April 29 – May 1 window. Pending receiving Carnival's 30(b)(6) topics, Alejandro will likely serve as the corporate representative and, per our discussion, we can combine his individual deposition with the corporate representative deposition.

Carnival Witness Depositions – Attached are our 30(b)(6) topics. Please let us know if any are objectionable as well as which specific person(s) Carnival is designating on these topics and when they are available so

we can notice the deposition(s). Regardless who Carnival designates as its corporate representative(s), we are requesting availability for the following witnesses:

- Glenn Aprile
- Petu Kummala
- Sam Ackrill (on the presumption that Cyrus Martfaia cannot be produced b/c of his retirement)
- Benoit Clement (potentially, we'll see how the other three go)
- Vanessa Sanfiel (potentially, we'll see how the other three go)

Unless something surprising or unexpected reveals itself as we near the close of discovery, Miami Slice will likely be content with these witnesses.

Given the anticipated number of exhibits, Glenn would need to be in person. We'd prefer the others also in-person, but depending on scheduling availability we may be amenable to taking them remotely.

In accordance with our above notes on Javi and mine's availability, *please* provide some date(s) before May 3rd for at least Glenn and the 30(b)(6) representative(s) availability.

Thanks and enjoy the holiday weekend,

Rob

A. Robert Weaver, Esq.

Member

The Brickell IP Group, PLLC

400 North Tampa Street

15th Floor

Tampa, FL 33602

Office: 813-278-1358

e-mail: rweaver@brickellip.com

www.brickellip.com



THE BRICKELL IP GROUP
INTELLECTUAL PROPERTY LAW

From: rweaver@brickellip.com <rweaver@brickellip.com>
Sent: Monday, March 18, 2024 6:51 PM
To: 'David Friedland' <DKF@friedlandvining.com>
Cc: 'jsobrado' <jsobrado@brickellip.com>; 'Richard Guerra' <rguerra@brickellip.com>; 'Jaime Vining' <JRV@friedlandvining.com>
Subject: RE: Deposition Availability

Hi David,

I forwarded this message to our client to discuss availability. We will also try to get you initial 30(b)(6) topics for Carnival in the next few days so that you can discuss internally which witness(es) will serve as the rep(s), and we can coordinate timings.

Last week I left a message with the Bowtie representative, but have not heard back yet. I will try again so that you have clarity there.

Alejandro and Manuel should be no problem, but please note that Gabriela Ramirez is no longer associated with Miami Slice. We provided an address for her in our initial witness list. But, I will confer with our client whether I can accept a subpoena for her or not.

Thanks,

Rob

A. Robert Weaver, Esq.

Member

The Brickell IP Group, PLLC

[400 North Tampa Street](#)

[15th Floor](#)



THE BRICKELL IP GROUP
INTELLECTUAL PROPERTY LAW

Tampa, FL 33602

Office: 813-278-1358

e-mail: rweaver@brickellip.com

www.brickellip.com

From: David Friedland <DKF@friedlandvining.com>

Sent: Monday, March 18, 2024 11:44 AM

To: Robert Weaver <rweaver@brickellip.com>

Cc: jsobrado <jsobrado@brickellip.com>; Richard Guerra <rguerra@brickellip.com>; Jaime Vining <JRV@friedlandvining.com>

Subject: Deposition Availability

Good morning, Rob -

As we are now 3 months away from the close of discovery, we are writing to coordinate dates of availability for depositions of the following witnesses:

(1) Corporate representatives of the following related entities:

- (a) Plaintiff;
- (b) H Hospitality;
- (c) Sotavento Ventures;
- (d) Miami Slice Las Vegas.

For each of these entities, the 30(b)(6) topics will generally be related to each company's restaurant business, the relationship/common ownership and control of the restaurants, trademarks (selection, adoption, registration, licensing and enforcement), and this dispute;

(2) Jesus Alejandro Diaz Siso, Gabriela Ramirez, and Manuel Peinado; if they are among the corporate representatives, we can likely combine their individual and corporate deposition scheduling; and

(3) Bowtie Hospitality LV, which I am including because you had mentioned you were going to find out (a) if you could accept a subpoena on their behalf and (b) whether we needed to depose them in Las Vegas or if their corporate representative would be out of Turnberry's Aventura offices - the areas of inquiry will primarily be related to the license agreement, along with the restaurant/hospitality operation at the Fontainebleau Las Vegas.

We will have other depositions to conduct, but they'll likely be third parties via subpoena. We will coordinate further scheduling once we determine the additional deponents.

The above depositions will likely be conducted at Veritext's Miami office (unless we need to travel to Vegas for the Bowtie depositions). Based on my current calendar, please let me know which of the following blocks of dates might work for you and the witnesses: April 23-25, April 29 - May 1, and May 7-9. I would anticipate a full day for Plaintiff and no more than a half-day (probably more likely 2-3 hours) for any of the other witnesses listed above and, ideally, we would schedule these on consecutive days. If the same corporate representatives will appear for the depositions of the Plaintiff and its related entities, that will likely shorten the time needed to conduct those additional depositions (or may, subject to discussions between us, eliminate the need for the 3 related entity depositions).

Once you have a time frame in mind for your depositions of Carnival and its witnesses, please let me know so that we can also coordinate the scheduling with you.

Please let us know about the Bowtie issues (subpoena and location) once you have feedback from the client and its licensing partner.

Feel free to give me a call if you wish to discuss.

Thanks, David

DAVID K. FRIEDLAND

◆ Florida Bar Board-Certified

Intellectual Property Attorney

◆ Intellectual Property
Mediator

◆ O: 305.777.1725 ◆



◆ M: 786.258.4619 ◆

◆ dkf@friedlandvining.com



Topics for Deposition Under Rule 30b6.pdf
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